

## **REMARKS/ARGUMENT**

### **Regarding the Claims in General:**

Claims 11-18, 20, and 22-34 are now pending. Claims 1-10 were previously canceled and rewritten as claims 11-22 to better reflect customary idiomatic English and grammar, and U.S. claim practice. By this communication, claim 11 has been amended to better highlight features of the invention relative to the prior art, and claims 12-18, 20, and 22 have been amended to further improve the form thereof. These changes are not intended to, and do not in fact narrow the scope of the claims.

New claim 23 has replaced claim 21, again for the purpose of improving form, without narrowing the scope, and claim 19 has been canceled without prejudice as being unnecessarily limiting. New claims 24-34 have been added to provide applicants with additional protection to which they appear to be entitled in light of the known prior art.

### **Regarding the Rejection under 35 U.S.C. 112:**

Claim 13 has been amended to address the issue raised in this rejection.

### **Regarding the Prior Art Rejections:**

In the outstanding Office Action, claims 11-13, were rejected as anticipated by Strauss U.S. Patent 1,816,161 (Strauss), claims 14-15 were rejected as obvious over Strauss in view of Umeda U.S. Patent 4,325,451 (Umeda), claims 18-19 were rejected as obvious over Strauss in view of Sato et al. U.S. Patent 5,322,340, and claim 21 was rejected as obvious over Strauss. Applicants respectfully submit that these rejections are not applicable to the claims as amended hereby.

Strauss does disclose a longitudinal chassis element having an air passage therein, but this is constructed quite differently from that of the present invention. Moreover, the Examiner has distorted the true intent of Strauss' disclosure to arrive at an interpretation which superficially could be made to read on independent claim 11 in its original form. Claim 11 has been amended in part to preclude such a distorted reading, as well as to emphasize features which distinguish the invention from what is taught in Strauss.

In particular, claim 11 as amended is directed to a motor vehicle including:

an engine and an air intake, both located toward the front of the vehicle;

a tubular chassis element extending longitudinally from the front part toward the rear of the vehicle,

the chassis element having a substantially constant external cross-section along the length thereof;

the chassis element including an air inlet located at the front and an air outlet located at the rear;

a guide arrangement disposed in the vehicle and shaped to lead air flow from the air intake into the air inlet of the chassis element; and

at least one vehicle component disposed inside the chassis element positioned so air moving through the chassis element to the air outlet passes the component.

Several of the features of claim 11 are missing from Strauss. Preliminarily, however, applicants respectfully submit that the Examiner has not interpreted the patent disclosure correctly. For example, Strauss' tubular chassis element 2 extends from in front of the engine to the back of the vehicle, and its front end 7 serves as the air intake to admit incoming air (see page 1, lines 45-48). There no separate guide arrangement, no separate air intake and no separate air inlet. Tube 2 does not begin at venturi 5 which the examiner has interpreted as the air inlet.

Moreover, claim 11 as originally written called for the air inlet to be "toward the front of the vehicle". Venturi 5 is at the middle of tube 2, not toward the front of the vehicle.

With the foregoing in mind, and with specific regard to claim 11 as amended, it is clear that Strauss fails to disclose or suggest a separate air intake located toward the front of the vehicle, a chassis element having a substantially constant external cross-section along the length thereof, or a guide arrangement to lead air flow from the air intake into the air inlet of the chassis element. Strauss accordingly does not anticipate claim 11.

As claims 12-13, 16-17, 20 and 22 are all dependent on claim 11, these are not anticipated by Strauss for the reasons stated above. However, there are other features of claims 12-13, 16-17,

20 and 22 which are not found in Strauss. For example, Strauss' engine is not disposed forward of the chassis element, and there is no separate guide arrangement connected forwardly to the air intake and rearwardly to the chassis element as required by claim 12. Strauss's engine is *in* tube 2, and what the Examiner has called the guide arrangement is actually the front part of the tube, not a separate element with its own function. Likewise, with reference to claim 13, it is the front of tube 2 which surrounds the engine, not the guide arrangement.

As to claim 16, there is no plate at the rear of tube 2 which provides the air outlet. Element 16 in Strauss is one of the cross supporting members for tube 2 (see page 1, lines 98-99).

As to claim 20, in Strauss, tube 2 itself is disposed under the engine, not a bottom plate comprising part of a separate guide arrangement, and as to claim 22, elements 3 and 4 of Strauss are not air vents, but the engine cylinders and cooling fins, respectively.

Claims 12-13, 16-17, 20 and 22 are not anticipated by Strauss for these additional reasons.

Claims 14-15, 18, and 23 (which replaced claim 21) are also directly or indirectly dependent on claim 11, and are patentable for the reasons noted above. Additionally, with respect to claims 14-15 and 18, Umeda and Sato do not remedy the deficiencies in Strauss. Neither reference shows a tubular air-carrying chassis element. Sato shows a guide at the front of a vehicle for directing air flow rearwardly, but does not show a closed tube, while Umeda isn't concerned with this problem at all.

Apart from this, the references, whether considered alone or in combination, fail to show or suggest a fan arrangement inside the chassis element as called for in claim 14, or a fan arrangement toward the rear of the chassis element as required by claim 15.

As to new claim 23, since Strauss does not have a separate guide arrangement as explained above, it would not be obvious for a lower portion of the driver's cab to be part of such an element.

New claim 24 is patterned after claim 11 as amended, except this claim requires that the chassis element have a substantially constant *internal* cross-section along the length, rather than a substantially constant external cross-section. This, of course, is also not shown in Strauss, Umeda or Sato, either considered alone, or in combination. Claim 24 is accordingly allowable.

Finally, claims 25-33 are dependent on allowable claim 24, and are themselves allowable for the reasons stated above. In addition, these claim are patterned on claims 12-18, 20, and 22-23, and are patentable for the same additional reasons.

In view of the foregoing, favorable reconsideration and allowance of this application are respectfully solicited.

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